IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 6TH NOVEMBER 2006 / 15TH KARTHIKA 1928

Bail Appl..No. 6540 of 2006

ST.592/2006 of J.M.F.C.,ALATHUR

.....

PETITIONER/ACCUSED

K.R.GOPINATHAN,
S/O.K.G.RAGHAVAN, AGED 57 YEARS,
11/216, TAILOR STREET,
PALAKKAD.

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6540/2006

DATED THIS THE 6TH DAY OF NOVEMBER, 2006

O R D E R

The learned counsel for the petitioner submits that a non bailable warrant was issued against the petitioner by the Court below in S.T.No.592/2006, as he was absent, when the case was taken up. He further submits that the posting date was noted wrongly by the counsel and that was the reason for the absence of the petitioner. He was absent only on one occasion before the Court below. Hence the petitioner is before this Court, praying for a pre-arrest order.

2. Though no document is produced regarding the veracity of the submissions made by the counsel, I direct the petitioner to surrender before the Judicial Magistrate of First Class, Alathur, as he is accused in S.T.No.592/2006 of that Court, on 13.11.2006 at 11.00 a.m.

3. The learned Magistrate, after hearing both

sides, shall allow the petitioner to be on bail, imposing such conditions, as are deemed necessary, so that the petitioner would be available before that Court, for facing the trial.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs